

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 02/05/2010 was filed after the mailing date of the final Office action on 01/07/2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

2. Applicant's arguments, see Remarks page 1, paragraph 3, filed 02/05/2010, with respect to the rejection of claim 1 under 35 USC 103(a) as being unpatentable over Suzuki (EP 1088537A2) in view of Gross et al (US 6,403,857) and further in view of Busam et al (US 2004/0167486A1) have been fully considered and are persuasive. The rejection of the claims has been withdrawn.

Allowable Subject Matter

3. Claims 1, 3-7, 9, 12 and 21-24 are allowed.

4. The following is an examiner's statement of reasons for allowance:

5. The closest prior art uncovered during examination discloses the following elements:

6. Suzuki (EP 1088537A2): does not disclose or fairly suggest a discontinuous layer of absorbent material deposited on first and second substrate layers and portions of the substrate layers forming areas of junction where thermoplastic material contacts the layers and the absorbent material of the first layer substrate faces areas of junction of the second substrate layer and the absorbent material of the second substrate layer faces areas of junction of the first layers

and the first and second layers do not contact each other in combination with the areas of junction are offset.

7. Gross et al (US 6,403,857): discloses discontinuous layers of deposited absorbent material and thermoplastic material but does not disclose or fairly suggest first and second substrate layers combined together such that each of first and second substrate layers contact one another and the absorbent material of the first substrate layer faces the areas of junction of the second substrate layer and the absorbent material of the second substrate layer faces the areas of junction of the first substrate layer in combination with the areas of junction are offset.

8. The combination of these features as now specifically recited in independent claim 1, renders the claimed invention nonobvious over the prior art of record, claims 3-7, 9, 12 and 21-24 are allowable as being dependent from independent claim 1.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ginger T. Chapman whose telephone number is (571)272-4934. The examiner can normally be reached on Monday through Friday 9:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tatyana Zalukaeva can be reached on (571) 272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ginger T Chapman/
Examiner, Art Unit 3761
04/08/10

/Tatyana Zalukaeva/
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